

Elizabeth Link Peace Park Visitor Center Code of Conduct Policy

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Purpose

The City of Madison Parks Division has established this Code of Conduct Policy to ensure that the Elizabeth Link Peace Park Visitor Center facilities are safe, welcoming and provide equitable access to programs, activities, and services for all Park users. Appropriate Visitor Center conduct includes activities such as volunteering, program participation, accessing services, attending special planned activities, and other similar conduct normally associated with public park facilities.

Overview and Definitions

No individual may engage in inappropriate conduct on the premises of the Visitor Center, or when using Visitor Center facilities, or when participating in Visitor Center programs. Premises include, but are not limited to, the building, doorway and vestibule. Persons shall be engaged in normal activities associated with the use of a public park facility while on the premises. Persons not engaged in scheduled Visitor Center activities, programs, or services may be asked to leave the building.

Inappropriate conduct includes any individual or group activity which is unreasonably disturbing to other individuals lawfully using Visitor Center facilities and/or premises or is otherwise inconsistent with activities, programs, and services normally associated with a public building. When possible, staff will first educate individuals about the applicable policies before taking stronger measures to enforce those policies.

Inappropriate Behavior, shall include, without limitation by enumeration, the following conduct or behaviors

- Committing or attempting to commit any activity that would constitute a crime or a violation of City or County ordinances.
- Possessing, selling, distributing, displaying or using any dangerous weapon as that term is defined in Wis. Stats. sec. 939.22(10) upon Visitor Center premises or using or threatening the use of any other object in such a manner that it may be considered a weapon.
- Engaging in any physically intimidating or assaultive behavior. Making any threats of violence or unlawful activities. The City of Madison has a policy of zero tolerance for threats and acts of violence. Any person engaging in such behaviors will be immediately ejected from the Visitor Center.
- Possessing, selling, distributing, consuming or being under the influence of any alcoholic beverage or controlled substance.
- Trespassing by entering or remaining on Visitor Center premises after having been notified by an authorized individual not to do so, and entering or remaining on the Visitor Center premises during the period in which an individual has been banned from the premises.
- Refusing to follow the reasonable directions of City staff to include, failing to take shelter in an emergency as directed by staff.
- Engaging in any behavior that a reasonable person would find to be disruptive, harassing, or threatening in nature to Visitor Center users or staff including stalking, prolonged staring at or following another with the intent to annoy or intentionally behaving in a manner that could reasonably be expected to annoy or disturb other patrons.
- Engaging in any sexual contact, activities or conduct.

- Selling, soliciting, surveying, distributing written materials, panhandling or canvassing for any political, charitable or religious purposes inside a Visitor Center building, doorway or vestibule without prior authorization of the Visitor Center Parks Superintendent or designee.
- Smoking or other use of tobacco products.
- Eating in unapproved areas or failure to eat in approved areas at tables and clean debris when finished.
- Sleeping, napping or dozing in or on Visitor Center premises.
- Engaging in excessive or disruptive conversations, talking loudly, using personal electronic equipment at such a volume or making ongoing noise that is unreasonably disturbing to other Visitor Center users.
- Not wearing shoes or shirt within the Visitor Center.
- Entering or remaining upon Visitor Center premises with a bodily hygiene so offensive that it constitutes a nuisance to others.
- Moving furniture without the express consent of the Visitor Center staff or use of furniture in any manner that may damage the furniture, to include placing feet on the furniture.
- Using Visitor Center materials, furniture, equipment or facilities in any manner inconsistent with the customary use thereof or the theft or intentional damaging of Visitor Center materials, furniture, equipment or facilities.
- Bringing in more than 2 bags, or any bag that exceeds 26"x14"x14" in dimension, without prior approval of the Parks Superintendent or Designee.
- Blocking of public spaces with personal items or leaving such items unattended on Visitor Center premises at any time. Items may be removed from the Visitor Center premises if they reasonably appear to be abandoned or have been left unattended for 30 minutes or more.
- Interfering with the safe and free passage of Visitor Center staff or patrons on the premises, including but not limited to the placement of objects in hallways, aisles, flooring or elsewhere in a manner that impedes the free passage of such persons about the Visitor Center.
- Bringing any animal into Visitor Center except service animals.
- Entering non-public areas of the Visitor Center without permission, to specifically include the office area of the Visitor Center.
- Improperly using Visitor Center restrooms or facilities for purposes such as bathing, shaving or changing clothes.
- Taking Visitor Center materials into rest rooms.
- Engaging in any other activities that are inconsistent with those activities normally associated with the use of public park facilities that include participation in programs, activities, and services.
- Violating the Visitor Center's rules for acceptable use of the internet. A user accepts these rules before accessing the Internet through a Visitor Center computer. Copies of these rules will be made available by staff upon request.

Staff Response to Infractions

Violation of these rules is misconduct that can result in expulsion from Visitor Center and forfeiture of Visitor Center privileges. Minor violations of these rules will first result in City staff attempting to educate or warn individuals about the policies before enforcing such policies. If an individual continues to violate these policies, City staff may order the individual to leave for the day. However, any conduct that threatens the life or safety of any person or that is damaging to Park property, equipment or facilities may result in immediate expulsion from the Visitor Center premises. Visitor Center staff is authorized to contact the Madison Police Department to respond to such situations. Repeat misconduct or severe offenses (even if a single isolated event) may result in individuals being banned from the Visitor Center from a week to a year. City staff will follow the established procedures below and will call the police for severe or illegal behavior or when an individual refuses to leave when told by City staff to do so.

Banning Procedure

After City staff determines that a person has engaged in severe or repeat misconduct and has determined that the individual involved should be banned:

1. City staff will issue, or cause to be issued, a written ban letter to the individual involved notifying the individual that he or she is banned from the Visitor Center. The letter shall indicate the reasons for the ban and the time period of the ban.
2. City staff will email all appropriate parties with a description of the underlying behavior, the name and description of the banned individual when a banning is executed; so that all City and Visitor Center staff are informed as soon as possible. City staff will also forward a copy of the ban letter and incident report to the Parks Superintendent who will officially inform all staff involved about the reasons for the ban and the length of the ban. After consultation, if the Parks Superintendent agrees with the reasons for the ban and the length of the ban, then the Parks Superintendent shall take no further action. If, after consultation with staff, the Parks Superintendent deems it appropriate to rescind or modify the terms of the ban, the Parks Superintendent shall notify the banned individual, all staff, and the Park Commission President, in writing, about the decision to rescind or modify the ban and specify the reasons for the rescission or modification. The Parks Superintendent shall also notify the banned individual of the process for appealing the ban.
3. The Parks Superintendent will review and may reconsider the decision to ban an individual upon written request of the individual and may shorten or terminate the banning period if information submitted by the individual warrants such modification. The Parks Superintendent may consult with the City Attorney's Office before issuing the response to the banned individual. Until such time as staff banning letter has been reviewed and/or modified by the Parks Superintendent or reversed on appeal by the Board of Park Commissioners, the individual may not enter or use the Visitor Center.

Banning Letter

TO:

On _____ at approximately _____ you were observed at the Elizabeth Link Peace Park Visitor Center. At that time you were:

- _____ INTOXICATED
- _____ LOUD AND DISTURBING
- _____ IN THE VISITOR CENTER DESPITE BEING PREVIOUSLY BANNED UNTIL _____
- _____ OTHER CONDUCT (As set forth below)

COMMENTS:

Because of the behavior listed above, and/or other history of inappropriate behavioral conduct at the Visitor Center, you are banned until the date listed below. If you enter the Visitor Center before the return date listed below, police will be called and you will subject to being arrested for trespassing under Madison City Ordinance 23.07(2).

You may file a written request to Parks Superintendent, Madison Parks Division, 210 Martin Luther King Jr. Blvd. Room 104, Madison, WI 53703, to reconsider this ban. Your written request shall set forth your reasons for reconsideration of the ban. THE LENGTH OF THIS BAN SHALL REMAIN AS STATED IN THS DOCUMENT UNLESS THE PARKS SUPERINTENDENT ISSUES A WRITTEN DETERMINATION ALTERING THE TERMS OF THIS DOCUMENT.

BANNED FROM VISITOR CENTER _____
RETURN DATE _____

Staff initials: _____

Appeal Procedure

1. Notice of Appeal. The Parks Superintendent's written determination may be appealed to the Board of Park Commissioners, if the individual aggrieved files a written notice of appeal within 10 days after he/she receives the determination. Such notice shall be filed with: both the Parks Superintendent and the Board of Parks Commissioners President, c/o City of Madison Parks Division; 210 Martin Luther King Jr. Blvd., Room 104, Madison, WI 53703 The Board shall hold a hearing within 30 days after the notice has been filed. The appellant shall be notified at least 10 days before the hearing.

2. Hearing: At the hearing, the appellant may be represented by counsel, may present evidence, and may call and examine witnesses and cross-examine witnesses of the other party. The President of the Board shall conduct the hearing and shall follow the Rules of Evidence provided in the Wisconsin Statutes, 227.45, for administrative proceedings. The staff shall record all of the proceedings on tape.

3. Decision. Within 30 days of the completion of the hearing, the Board shall issue a written decision stating the reasons therefore. The Board shall have the power to affirm or reverse the written determination or to remand it to the Parks Superintendent or designee with instructions for reconsideration. The decision, except for remand, shall be a final determination for the purposes of judicial review.

Non-compliance with Ban - Trespassing

If a banned individual enters the Visitor Center before the return date listed in the ban letter, police will be called and individual may be arrested for trespassing under Madison City Ordinance 23.07(2).

Approved by the Board of Park Commissioners
Reviewed by the City of Madison Attorney's Office